

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**

No. 45 of 2020

President Judge Administrative Order

**In re: QUALIFYING RESIDENTIAL MORTGAGE FORECLOSURE PROGRAM
REASSIGNMENT**

ORDER

AND NOW, this 2nd day of July, 2020 under Pa.R.J.A. No. 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, and in light of the limited access to City Hall for emergency relief, and the public safety concerns associated with large crowds, it is **ORDERED AND DECREED THAT** Mortgage Foreclosure Conciliation Conferences and Case Management Conferences subject to Joint General Court Regulation No. 2008-01 are continued generally until further order of court and pending cases shall be processed as follows:

PART I. Mandatory Deferral Applications

1. Plaintiff's counsel must file a Praecipe to Defer in the form attached to this Order, in the following cases:
 - a. The parties have entered a Trial Modification Plan;
 - b. The parties have entered a Forbearance Agreement;
 - c. The Defendant is an "At-Risk" HECM Mortgagor pursuant to HUD Mortgagee Letter 2015-11, Option 2.
 - d. Plaintiff has instructed counsel to not proceed with the case.
2. Plaintiff's counsel may remove case from deferred status by filing a Praecipe to Relist in the form attached to this Order. Cases removed from deferred status will be listed for a Conciliation Conference.

PART II. Case Management Conferences

1. If a Case Management Conference is pending, in lieu of a conference, the court will review the docket to determine whether service is completed on all named Defendants and whether the case completed Conciliation.
 - a. If the docket reflects service is complete as to all Defendants and the case completed Conciliation, a Standard Track Case Management Order will be issued.

- b. If Plaintiff has failed to effectuate service on all named Defendants, and the case was removed from Conciliation because of the failure to serve all named Defendants, a Rule will be issued against Plaintiff to show cause why the case should not be dismissed for lack of prosecution. Until further notice said Rule hearing will be conducted remotely.
- c. If the case was removed for lack of service, and service is completed on all named Defendants, the case may also be returned to Conciliation upon the filing of a Praecipe to Relist by Plaintiff's counsel.

Part III. Trial

Any foreclosure case scheduled for trial, whether a date-certain or pool, between March 16, 2020 through October 1, 2020, is continued until October 15, 2020, at which time the case will be reviewed on the papers, counsel and parties will be notified to determine status, and if ready for trial, will be scheduled for trial. Plaintiffs are again advised that cases subject to forbearance should be placed in deferred status.

Part IV Reassignment from Diversion Program

Where the applicability of Joint General Court Regulation 2008-01 is disputed, a Motion to reassign may be filed. Motions will be decided on the pleadings and must contain sufficient facts, including, but not limited to photographs of the property. In addition, the Motion will be reviewed at the next scheduled Conciliation Conference.

BY THE COURT:

/s/ Jacqueline F Allen

**Jacqueline F. Allen
Administrative Judge – Trial Division
First Judicial District of Pennsylvania
Court of Common Pleas, Philadelphia County**

/s/ Idee C. Fox

**Idee C. Fox
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County**

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION**

	:	
	:	
Plaintiff	:	_____ Term 20__
v.	:	Docket No.
	:	
	:	Conciliation Date:
	:	Day Forward No.
	:	Housing Counselor:
	:	
Defendant(s)	:	

PLAINTIFF’S PRAECIPE TO PLACE CASE IN DEFERRED STATUS

TO THE PROTHONOTARY:

Please place this residential mortgage foreclosure case into deferred status for the following reason (**check one**):

- The parties have entered a Trial Modification Agreement.

- The parties have entered a Forbearance Agreement.

- Defendant’s status as an “At Risk” HECM Mortgagor pursuant to HUD Mortgagee Letter 2015-11, Option 2.

- Plaintiff has instructed counsel not to proceed with the case.

This matter may be removed from deferred status by Praecipe to Discontinue or Praecipe to Relist for a Conciliation Conference.

Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION**

	:	
	:	
Plaintiff	:	_____ Term 20__
v.	:	Docket No.
	:	
	:	Conciliation Date:
	:	Day Forward No.
	:	Housing Counselor:
	:	
Defendant(s)	:	

PLAINTIFF'S PRAECIPE TO RELIST

TO THE PROTHONOTARY:

Please remove this mortgage foreclosure matter from deferred status and list it for a Conciliation Conference.

Attorney for Plaintiff